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Attorney for Defendant
5 DANIEL NATHAN

6 UNITED STATES DISTRICT COURT
7 DISTRICT OF NEVADA
* * *

8
9 UNITED STATES OF AMERICA,) 2:20-CR-00021-RFB-NJK-1
10)
11 Plaintiff,)
12 v.) STIPULATION AND ORDER TO
CONTINUE SENTENCING
13)
DANIEL NATHAN,)
14) (1ST REQUEST)
15 Defendant.)
_____)

16
17 IT IS HEREBY STIPULATED by and between DANIEL NATHAN, Defendant, by and
18 through his counsel MICHAEL J MICELI, ESQ, and the United States of America, ROBERT
19 KNIEF, Assistant United States Attorney, that the sentencing hearing currently scheduled for
20 May 28, 2020 at 10:00 a.m., be vacated and reset to a date and time convenient to the Court but
21 no sooner than ~~sixty thirty~~ (60) days.

22 This Stipulation is entered into for the following reasons:

- 23
24 1. Counsel has spoken to the Defendant and he has no objections to the continuance.
25 2. Defendant is not in custody and is out on Pretrial Release.
26 3. Defendant is currently very ill and has been in and out of the hospital.
27 4. Defendant needs additional time to get his documents to his probation officer to get
28 the Presentence Investigation report completed.

- 1 5. Probation was given a due date of April 10 to get the Presentence Investigation
2 Report, but Defendant is very ill and will not be able to produce the required
3 documents on time.
4
5 6. Additionally, denial of this request for continuance would result in a miscarriage of
6 justice.
7
8 7. This is the first request for a continuance of the sentencing.

8 DATED this 31st day of March 2020.

11 PITARO & FUMO, CHTD.

NICHOLAS A. TRUTANICH
UNITED STATES ATTORNEY

14 /s/
15 MICHAEL J. MICELI, ESQ.
16 601 LAS VEGAS BOULEVARD, SOUTH
17 LAS VEGAS, NEVADA 89101
ATTORNEY FOR DEFENDANT
DANIEL NATHAN

/s/
ROBERT KNIEF, ESQ.
ASSISTANT UNITED STATES ATTORNEYS
501 LAS VEGAS BOULEVARD SOUTH. #1100
LAS VEGAS, NEVADA 89101

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

UNITED STATES OF AMERICA,) 2:20-CR-00021-RFB-NJK-1
)
)
Plaintiff,)
)
v.)
)
)
DANIEL NATHAN,)
)
)
Defendant.)

FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds:

This Stipulation is entered into for the following reasons:

1. Counsel has spoken to the Defendant and he has no objections to the continuance.
2. Defendant is not in custody and is out on Pretrial Release.
3. Defendant is currently very ill and has been in and out of the hospital.
4. Defendant needs additional time to get his documents to his probation officer to get the Presentence Investigation report completed.
5. Probation was given a due date of April 10 to get the Presentence Investigation Report, but Defendant is very ill and will not be able to produce the required documents on time.
6. Additionally, denial of this request for continuance would result in a miscarriage of justice.
7. This is the first request for a continuance of the sentencing.

ORDER

The ends of justice served by granting said continuance outweigh the best interest of the public and the defendant in a speedy preliminary hearing, since the failure to grant said continuance would be likely to result in a miscarriage of justice, would deny the parties herein sufficient time and the opportunity within which to be able to effectively and thoroughly prepare for sentencing, taking into account the exercise of due diligence.

IT IS THEREFORE ORDERED that the Sentencing in the above captioned matter currently scheduled for May 28, 2020 at 10:00 a.m., be vacated and continued to August 4, 2020, at 10:00 a.m.

DATED this 21st of May, 2020.



RICHARD F. BOULWARE, II
UNITED STATES DISTRICT JUDGE